

JUSTIFICATION AND APPROVAL FOR OTHER THAN FULL AND OPEN COMPETITION

OVERSEAS CONTRACTING ACTIVITIES

1. I recommend that Embassy Rangoon use other than full and open competition for the acquisition of a fuel tanker truck. The estimated cost is \$70,000.
2. Nature and/or description of the action being approved.

Post requires a fuel tanker truck to deliver diesel to the homes of embassy staff. During power outages, which are frequent, diesel-powered generators are necessary for all heating and cooking. Thus, it is critical that the generators are regularly refilled with diesel. It is equally important that the fuel truck be equipped with proper instruments to maintain the safety of those who operate it, as well as gauges for the measurement of fuel to prevent fraud.

3. A description of the supplies or services required to meet the agency's needs.

2,000 liter fuel tanker truck, purchased locally from MSP Motors Limited.

4. An identification of the statutory authority permitting other than full and open competition.

41 USC 253(c)(1), FAR 6.302-1, Only one responsible source and no other supplies or services will satisfy agency requirements

5. A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited (for sole source acquisitions; also required for unusual and compelling urgency where more than one offer will not be solicited).

Previous RFQ found MSP Motors Limited to be the only local vendor able to meet the required specifications. Moreover, MSP Limited is the only local vendor that does not require 50% of the payment in advance. Justification for local purchase is provided in Section 6.

6. A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable.

For the past two years, Post has been unable to successfully procure an acceptable fuel tanker truck using full and open competition. Post has twice awarded contracts to overseas bidders whose products appeared to be technically acceptable on paper, only to receive trucks that did not meet the required specifications. Terminating those contracts and returning the vehicles required considerable time and effort, and left

Post to operate without essential equipment. Post has concluded that successful procurement requires the physical inspection of the fuel tanker truck prior to purchase, and that can only be accomplished through a local procurement.

Having twice conducted full and open competition for this product, Post has identified MSP Motors Limited as the only local vendor capable of meeting the technical requirements.

7. A determination by the Contracting Officer that the anticipated cost to the Government will be fair and reasonable.

In the most recent solicitation of bids, in August 2019, MSP Motors Limited's bid was just 4 percent more (\$2,560) than the winning bid. The Contracting Officer is convinced that the anticipated cost will be fair and reasonable.

8. A description of the market survey conducted and the results or a statement of the reasons a market survey was not conducted.

Post twice conducted market research and received bids from around the world. As a result, we have a clear understanding of the range of costs for this product.

9. Any other facts supporting the use of other than full and open competition.

It is in the interest of Post and the Department to procure this product locally. Not only will we be able to ensure that the final product meets the required technical specifications, but the local warranty and servicing options will reduce maintenance costs.

10. A listing of sources, if any, that expressed, in writing, an interest in the acquisition.

During the 2019 RFQ, two other vendors expressed interest. O.K.I. General Trading L.L.C. submitted the winning bid. Red Orange submitted a bid that was deemed technically unacceptable by the Technical Evaluation Panel.

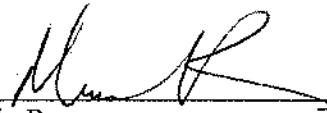
11. A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.

Any subsequent acquisition of the same product should also be done locally, for the reasons cited above.

CERTIFICATIONS

I certify that this justification is accurate and contains complete data necessary to support the recommendation for other than full and open competition.

2/19/2021
Date



Michelle Roggero
Acting Facilities Manager
Requirements Office

I certify that this submission is accurate, and that it contains complete information necessary to enable other officials to make an informed recommendation for approval or disapproval.

2/18/2021
Date



Contracting Officer